

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

February 3, 2000 LB 701

PRESIDENT MAURSTAD: Senator Coordsen.

SENATOR COORDSEN: Thank you, Senator Beutler. Again, if you have AM0719 in front of you, the amendment that I'm proposing which follows Senator Schrock's would strike the language beginning with "where" on line 10 and ending with "but" on line 15, and that references the difference between an interior and...or trail along the in...dividing property and that along the outside of property, and replaces it with language that I believe is probably better from the perspective of both parties than what the current language or the proposed language in the Schrock amendment, with language that says if the landowner files a written request with the commission, such request is filed and then it strikes in such areas. The type of fence may be a wire fence, or a fence of any other type or, quite frankly, no fence would be an option under my amendment, and this recognizes the different types of land use, I think, by adjoining landowners in a better way than what LB 701 or any of the other pro...of the proposed amendments. I think that...that my amendment, which is AM2241, is in fact a major change in the rail fence requirements, but still maintains some of the requirements that are in, particularly with reference to trespass and access to divided property. Thank you, Senator Beutler. I return the rest of your time to you.

PRESIDENT MAURSTAD: Senator Beutler.

SENATOR BEUTLER: Mr. Lieutenant Governor, members of the Legislature, I guess I would like to support the committee amendment and I would like to support Senator Schrock's amendment to the committee amendment which completes the thought and the compromise that was worked out in committee, a compromise which, from the point of view of Game and Parks and those interested in recreational trails, doesn't...doesn't go far enough, but which makes the law certainly within the realm of reason. The way the law was previous...the way the law is right now, the expense of building fences along the Cowboy Trail doesn't comport to the decision of this Legislature to develop that trail, in the sense that it imposes a very onerous burden. It imposes the burden of a railroad fence, a fence described in statute as being designed to keep out pigs and chickens and all